

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1546 of 2014
IN
Civil Writ Jurisdiction Case No. 2622 of 2014**

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1. Sudhansu Mishra, son of Kashi Nath Mishra, resident of Village - Diari, Police Station - Karamchat (Sabor), District - Kaimur

.... Appellant/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna
2. The Superintendent of Police, Vaishali, Hajipur
3. The Superintendent of Police, Gaya
4. The Superintendent of Rail Police, Patna
5. The Superintendent of Police, East Champaran, Motihari
6. The Superintendent of Police, West Champaran, Bettiah
7. The Director of General Provident Fund Bihar, Patna
8. The District Provident Fund Officer, Kaimur

.... Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s : Mr. Shiv Kumar, AC to GA-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 08-05-2017

Seeking exception to an order dated 26.9.2014 passed by the learned Writ Court in C.W.J.C. No.2622 of 2014, this appeal has been filed under Clause 10 of the Letters Patent.

Petitioner's father was working in the State of Bihar. He retired in the year 1988. The entire claim pertaining to his retiral dues were paid in 1991 and during his life time he never raised any claim with regard to deficiency in payment of retiral dues, much less of the provident fund amounts. Petitioner for the first time in the year



2014 raised a claim for payment of provident fund.

It seems that after the death of his father, petitioner raised a claim in the matter of payment of provident fund.

Considering the fact that after settlement of the claim in the year 1991 and the fact that the employee never raised a claim till his death, the learned Writ Court dismissed the writ petition holding it to be frivolous, belated and not maintainable at the instance of the petitioner.

In doing so, we see no error committed by the learned Writ Court warranting re-consideration.

The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

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